

Serial No.: 10/018,662

REMARKS

Reconsideration of the objection to claims 18 and 27 is respectfully requested in view of the above amendments.

Reconsideration of the rejection of claim 34 under 35 USC §112 is respectfully requested in light of the above amendment wherein the examiner's suggestion has been adopted.

Reconsideration of the rejection of the claims over the IEEE Algora article is respectfully requested in view of the fact that the International Filing date is before the date of the publication. Accordingly, it appears as if this article is not a proper reference.

Reconsideration of the rejections of the claims under 35 USC §103 is respectfully requested. It is believed that the PTO relies on an unwarranted assumption in this rejection, namely that one of ordinary skill in the art would have naturally used the techniques of Tantraporn in the making of the Fraas wafer. The PTO has failed to address the advantages set forth on pages 3 and 4 of the specification wherein it is explained, *inter alia*, that an advantage of the invention is the reduction in manufacturing costs by application of techniques from the optoelectronic industry. That is, those of skill in the art shied away from this kind of solar cell because of manufacturing concerns. The inventor's recognition that manufacturing from another art could be applied was invention that the PTO has simply assumed to be in the prior art. It is submitted that it is not in the prior art.

A certified copy of the priority document will be submitted shortly, and the PTO is requested to hold this requirement in abeyance.

Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding.

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All necessary extensions of time are requested. Please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,
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